UNITED STATES PATENT AND TRADEMARK OFFICE

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09/704,322	11/02/2000	Richard Ruben	3188/1H005-US1	4924

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO 90C (Rev 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>02 November 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3,4 and 6-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,4 and 6-29* is/are rejected.

7)☒ Claim(s) *28 and 29* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

This is in reference to response received on 02 November 2004 to the office action mailed on 02 June 2004. Addition of new claims 27 – 29 is acknowledged. There are 26 claims, claims 1, 3 – 4, 6 – 8 and 10 – 29 pending for examination.

Response to Arguments

In response to applicant's argument that cited reference appear to be directed to management of apartment building, and, the invention is directed to management of a office building. However, both apartment buildings and office buildings have property managers and tenants. To meet the business requirements, BuildingLink can me configured to use for the management of office buildings.

In response to applicant's argument that cited reference BuildingLink does not teach setting at least one user profile. However, cited references BuildingLink in view of BJM and Shavit teaches setting at least on user profile (e.g. subscribers as taught by Shavit).

In response to applicant's argument that cited reference BuildingLink does not teach establishing vendor entity for providing service, and, tenant entity or manager

entity making request (business choice to elect how users are configured in a

database). However, cited reference BuildingLink in view of BJM and Shavit teaches

establishing vendor entity for providing service, and, tenant entity or manager entity

making request (field of use).

In response to applicant's argument that cited references does not teach

"communicating the status of the fulfillment of the service request to the user of the

entity requesting the service". Applicant is arguing the amended claim.

In response to applicant's argument that "MQSeries is ten or so year old software

program developed by IBM to run on proprietary technology (probably now totally

obselete). However, IBM teaches that messaging technology can be used between

plurality of computers to exchange information by generating requests and routing the

request to the serving entity's computer.

In response to applicant's argument that cited reference Zenna teaches "obtains

lists of possible services available from service registry component", and, Zenna does

not mention the term property. However, in claim 26, applicant claims "establishing a list

of services available for the property" (field of use). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify

Zenna and limit list of service related to property to meet business requirements.

Claim Objections

Claims 28 and 29 are objected to because claims 28 and 29 recite same limitations, and, both the claims are further limiting claim 1. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3 – 4, 6 – 8, 10 – 24 and 27 – 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over BuildingLink.com hereinafter known as BuildingLink in view of BJM Central hereinafter known as BJM and Shavit et al. US Patent 4,799,156 hereinafter known as Shavit.

Regarding claim 1, BuildingLink teaches system and method for managing a real estate property. BuildingLink teaches:

routing the request for service to one of said at least one vendor entity (submit and track maintenance and repair request) [page 4],

maintaining the status of the fulfillment of the service request (submit and track

maintenance and repair request) [page 4]; and

communicating the status to the entity requesting the service (submit and track

maintenance and repair request, e-mail capability) [page 4].

BuildingLink does not teach establishing the lease parameters of the property in

a computer database. However, BJM teaches system and method for establishing the

lease parameters of the property in a computer database (Lease expiration and

Renewal Notice) [page 12]. Therefore, it would have been obvious to one of ordinary

skill in the art at the time the invention was made to modify BuildingLink as taught by

BJM to have the system and method to enhance the capability of the system and

perform additional functions for building management.

BuildingLink does not teach routing the request for service to one of said at least

one vendor entity established in computer database. However, Shavit teaches system

and method which permits concurrent interactive business transaction sessions

between different users [Shavit, abstract]. Shavit teaches vendor entity established in

computer database (business choice, shavit teaches "users who subscribe to service")

[Shavit, Fig. 2, Fig. 2 and disclosure associated with Fig. 2].

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify BuildingLink as taught by Shavit to allow users to

check status anytime user wishes to check the status (24/7 status check capability). For

example, United Parcel Service (UPS) allows their customers to check status of their

package.

BuildingLink in view of BJM and Shavit teaches:

setting in a computer database at least one user profile of at least one tenant

entity located in the property and a property manager entity related to management of

the property (access building wide address book) [page 4];

establishing in a computer database at least one vendor entity for the property

and the service performed by said at least one vendor entity (submit and track

maintenance and repair request) [page 4];

assigning in the a computer database the attributes of the authority of the a user

of at least one of said tenant entity and property management entity relative to the

requesting a service for the property (features customized per building or resident and

repair request) [page 4];

a said user of a tenant entity or property manager entity making a request for a

service to be rendered for the property (submit and track maintenance and repair

request) [page 4],

communicating the status of the fulfillment of the service request to the user of

the entity requesting the service (the system 50 also allows the supplier to provide its

customers with an on-line interactive sales service providing immediate quotations,

confirmations, and status information) [Shavit col. 15, lines 45 – 48].

Regarding claim 3, BuildingLink in view of BJM and Shavit teaches setting a user

profile of an owner entity related to the property, and assigning at least one attribute of

authority to said user of said owner entity (features customized per building or resident)
[page 4].

Regarding claim 4, BuildingLink in view of BJM and Shavit teaches at least one
user for each of the owner entity (e.g. tenant in a co-op), property manager entity and
tenant entity [page 4].

Ragarding claim 6, BuildingLink in view of BJM and Shavit teaches setting step
of one person is set as a user in two or more of the entities (e.g. tenant of a building
works as a supporting staff of the building, e.g. a tenant of a building is a manager
(super, superintendents) for the building.

Regarding claim 7, BuildingLink in view of BJM and Shavit teaches in the setting
step a principal user of an entity is assigned the attribute of being able to assign or
change the attributes of a another user of the same said entity (e.g. building manager is
given the authority to add users, modify users etc.) .

Regarding claim 8, BuildingLink in view of BJM and Shavit teaches teaches
setting in a computer database a user profile of a system administrator entity, and
assigning a user of the system administrator entity the attribute of authority to change
the attribute of authority of a user of the a tenant entity of the property (it is known to
one of ordinary skill in the art at the time invention was made that computer based

applications with user-ids have administrator account which is authorized to create,

modify and delete user accounts, for example Windows NT).

Regarding claim 10, BuildingLink in view of BJM and Shavit teaches providing

communication capability between users of the property manager entity, tenant entity

and vendor entity (send temporary or standing instructions) [page 4].

Regarding claim 11, BuildingLink in view of BJM and Shavit teaches the step of

providing communication capability comprises establishing Internet access for all of the .

entities [page 3].

Regarding claim 12, BuildingLink in view of BJM and Shavit teaches attribute

comprises a limit of monetary expenditure in making a service request (submit repair

request, also, it is known at the time of invention to one of ordinary skill in the art that

customers can put a limit on repair charges and ask the repair shop to contact them

when the charges are higher) [page 4].

Regarding claim 13, BuildingLink in view of BJM and Shavit teaches step of

assigning an attribute of authority to the user of the a vendor entity (it is known to one of

ordinary skill in the art at the time invention was made that computer based applications

with user-ids have administrator account which is authorized to create, modify and

delete user accounts, assign user privileges etc., for example Windows NT).

Regarding claim 14, BuildingLink in view of BJM and Shavit teaches maintaining the status comprises a user of the vendor entity entering in the computer database the status of the fulfillment of the service request and communicating the status to the user of the entity requesting the service (Track maintenance and repair requests) [page 4].

Regarding claim 15, BuildingLink in view of BJM and Shavit teaches:

assigning an Internet domain name to the property [page 3]; and

accessing the data in the a database over the Internet [page 3].

Regarding claim 16, BuildingLink in view of BJM and Shavit teaches plurality of properties owned by an owner entity having lease parameters established in a computer database (Lease expiration and Renewal Notice) [page 12].

Regarding claim 17, BuildingLink in view of BJM and Shavit teaches plurality of said properties owned by an owner entity are managed by the same property manager entity (co-op building managed by superintendent).

Regarding claim18, BuildingLink in view of BJM and Shavit teaches setting in a computer database data of an owner entity of each of the plurality of properties (owners of apartment units in a co-op who are also tenants), data of a property manager of each

of the plurality of properties, and data as to at least one tenant entity that occupies

space in each of the plurality of properties (address book) [page 4].

Regarding claim 19, BuildingLink in view of BJM and Shavit teaches step of

setting sets a user profile for at least one user of at least one of the owner entity, the

property manager entity, vendor entity and the tenant entity for each of the plurality of

properties, and assigning at least one attribute of authority to each said user (it is known

to one of ordinary skill in the art at the time invention was made that computer based

applications with user-ids have administrator account which is authorized to create,

modify and delete user accounts, assign user privileges etc., for example Windows NT).

Regarding claim 20, BuildingLink in view of BJM and Shavit teaches status of the

fulfillment of the service request is communicated to the property manager entity of the

property (track maintenance and repair requests) [page 4].

Regarding claim 21, BuildingLink in view of BJM and Shavit does not teach

property manager entity and a vendor entity communicate by wireless. However,

BuildingLink teaches access over internet. Official notice it taken that it would have

been obvious to one of ordinary skill in the art at the time the invention was made that

internet can be accessed over the wireless network, e.g. DirecPC, beepers etc.).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify BuildingLink in view of BJM and Shavit and have

wireless communication capability to contact vendors at remote locations who are not

accessible via terrestrial lines.

Regarding claim 22, BuildingLink in view of BJM and Shavit teaches tenant entity

makes the request for a service and the request is routed by the tenant entity to a

vendor entity (send temporary or standing instructions to front desk) [page 4].

Regarding claim 23, BuildingLink in view of BJM and Shavit teaches tenant entity

makes the request for a service to the property manager entity who in turn routes the

request for service to a vendor entity (track maintenance requests) [page 4].

Regarding claim 24, BuildingLink in view of BJM and Shavit teaches property

manager entity (superintendent) makes the request for a service directly to a vendor

entity (e.g. repair the air conditioning unit).

Regarding claim 27, BuildingLink in view of BJM and Shavit teaches property is

an office building (field of use).

Regarding claims 28 and 29, as responded to earlier in response to claim 1,

BuildingLink in view of BJM and Shavit teaches status of fulfillment of the request

entered into a database that is available to requesting entity (using database to

communicate status is a design choice).

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over

BuildingLink.com hereinafter known as BuildingLink in view of BJM Central hereinafter

known as BJM and Shavit et al. US Patent 4,799,156 hereinafter known as Shavit, and,

further in view of Examples of Using MQSeries on S/390, RISC System/6000, AS/400

and PS/2 hereinafter known as MQSeries.

Regarding claim 25, BuildingLink in view of BJM and Shavit does not teach:

programming a computer with scheduled requests for service;

the computer generating the requests ; and

routing the request to a vendor entity.

However, MQSeries teaches system and method for automating financial

transaction application [page 34]. MQSeries teaches:

programming a computer with scheduled requests for service (MVB2

programmed with user desired application);

the computer generating the requests (MVB2 generating Queries); and

routing the request to a vendor entity (MVB2 routing query to MVB3, MVB4).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify BuildingLink in view of BJM as taught by

MQSeries to automate ordering process (In re Venner, 262 F.2d 91, 95, 120 USPQ 193,

194 (CCPA 1958))

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over

BuildingLink.com hereinafter known as BuildingLink in view of BJM Central hereinafter

known as BJM and Shavit et al. US Patent 4,799,156 hereinafter known as Shavit, and,

further in view of Zeanah et al. US Patent 5,933,816 hereinafter known as Zeanah.

Regarding claim 26, BuildingLink in view of BJM and Shavit does not teach:

establishing a list of services available for the property in a computer database,

and

attributing work processes and business rules to the various services of the list.

However, Zeanah teaches

establishing a list of services available for the property in a computer database

(list of possible services available)

attributing work processes and business rules to the various services of the list

(service registry component) [col. 12, lines 53 – 60].

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify BuildingLink in view of BJM as taught by Zeanah

to allow the user to make a selection of desired service from the list.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CRF '1.111 (c) to consider the references fully when responding to this office action.

1. Holden et al. US Publication 2002/0002579.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is (571) 272-6810. The examiner can normally be reached on M-F 7:30 - 5:00 (Alt Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Weiss can be reached on 703.308.2702. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Naresh Vig
April 4, 2005

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